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**REMARKS**

The following is intended as a full and complete response to the Office Action mailed on March 15, 2005. Claims 1-24 were examined. The Examiner rejected claims 8-20 and 24 under 35 U.S.C. §102(e) as anticipated by Eck (U.S. Patent No. 6,716,103), claims 107 under 35 U.S.C. §103(a) as obvious in view of Eck in combination with Lourette (U.S. Patent No. 5,978,016), and claims 21-23 under 35 U.S.C. §103(a) as obvious in view of Eck in combination with Wakabayashi (U.S. Patent No. 5,097,285).

**Rejections under 35 U.S.C. § 102(e) and §103(a)**

Independent claim 8 recites the limitations of a memory included in a portable electronic device for storing captured images and an image management engine loaded into the memory that implements a plurality of functions for capturing, managing and viewing images when executed by a processor included in the portable electronic device. Eck does not teach or suggest these limitations.

Eck discloses a game machine (10) that can implement various functionalities when different cartridges are attached to the game machine (10). In particular, Eck teaches that one such cartridge is a camera cartridge (300) that has the ability to capture digital images. Further, these digital images can be used the game machine (10) and transmitted as a message using a pager cartridge (100). See generally Eck at col. 9, lines 15-25 and col. 24, lines 37-54. In describing the camera cartridge (300), Eck discloses that the camera cartridge (300) includes a game program storage area (345a) and a shot image write/read control program storage area (345b). The shot image write/read control program storage area (345b) stores an image write program that is used "to format convert image data captured by the camera portion (330) and

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then to write the format-converted image data to the image RAM (357).” See Eck at col. 24, lines 46-51 and Figure 7.

The Examiner argues that the game machine (10) is a portable computing device that includes memory elements (32 and 54) that inherently store images captured using the camera cartridge (300) when those images are processed for use or sent in a message. Applicants respectfully disagree with the Examiner’s conclusion on this point. Figure 7 of Eck and the related description make clear that the images captured by the camera cartridge (300) are stored within the image RAM (357), which resides in the camera cartridge (300), not the game machine (10). There is no specific teaching in Eck that these images are ever downloaded to local memory (e.g., memory elements 32 or 54) within the game machine (10) for any type of processing or use. The game machine (10) may very well be configured such that the CPU core (30) accesses the image data directly from the image RAM (357), as opposed to accessing the image data from local memory. In fact, given the greater storage requirements for image data relative to the other types of data that may be processed by the CPU core (30); such as text or game programs, directly accessing image data from the image RAM (357) is certainly a viable architecture. Thus, without a specific teaching that the images captured by the camera cartridge (300) are stored in memory located within the game machine (10), the Examiner cannot simply assume that the images are downloaded to local memory.

For these reasons, Applicants contend that Eck fails to teach or suggest a memory included in a portable electronic device for storing captured images, as recited in claim 8.

The Examiner argues that Figures 8A-8H disclose an image management engine that is loaded into the memory of the game machine (10) and is capable of implementing a plurality of functions for capturing, managing and viewing images when executed by the CPU core (30) within the game machine (10). On the contrary, Figures 8A-8H disclose a main PagerWorld

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screen and several other screens are part of a "user session" that is specific to the pager cartridge (100). See Eck at col. 10, lines 57-60 ("[t]urning on pager cartridge 100 when it is connected to game machine 10 takes the player to a main PagerWorld screen 200 . . . [t]his screen is the starting point for every user session"). There is simply no teaching or suggestion in Eck that any of these screens or related functionalities may be used with the camera cartridge (300). Thus, Eck fails to teach or suggest the claimed image management engine.

In addition, none of the functionalities described in Figures 8A-8H relate to capturing, managing and viewing images. The Examiner cites column 24, lines 42-55 of Eck as teaching these functionalities. However, this section of Eck is specific to the image write program stored within the shot image write/read control program storage area (345b) within the camera cartridge (300), which has nothing to do with the screens and related functionalities described in Figures 8A-8H. Further, the image write program does nothing more than perform format converting on images captured by the camera portion (330) of camera cartridge (300). Thus, unlike the claimed image management engine, the image write program is not configured for capturing, managing or viewing images.

For these reasons, Applicants contend that Eck fails to teach or suggest an image management engine that implements a plurality of functions for capturing, managing and viewing images, as recited by claim 8.

Since Eck fails to teach or suggest several limitations of claim 8, Eck cannot anticipate this claim. Applicants therefore respectfully submit that this claim and claims 9-18, dependent thereon, are in condition for allowance and request that the §102(e) rejection of these claims be withdrawn.

Independent claim 19 recites the limitation of providing one or more image control functions that execute an image management engine on a portable electronic device by selecting

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an icon presented on a display that represents the image control function. As discussed above, Eck fails to teach or suggest the claimed image management engine. For this reason, Eck cannot anticipate claim 19. Applicants therefore respectfully submit that this claim and claims 20 and 24, dependent thereon, are in condition for allowance and request that the §102(e) rejection of these claims be withdrawn.

Further, since Wakabayashi does not cure the deficiencies of Eck discussed above, the combination of Eck and Wakabayashi does not teach or suggest each and every limitation of claims 21-23 and, thus, cannot render these claims obvious. Applicants therefore respectfully submit that claims 21-23 are in condition for allowance and request that the §103(a) rejection of these claims be withdrawn.

In addition to the foregoing, claim 20 recites the limitation of providing a memory within the portable device to store an image after the image has been captured. Again, since Eck fails to teach or suggest this limitation, claim 20 is patentable over Eck for this reason as well.

Independent claim 1 recites an image management program that is executed on a portable electronic device to capture, control and manage an image and includes the step managing the display of the image on the display screen of the portable electronic device. Neither Eck nor Lourette teaches or suggests these limitations.

As set forth above, Eck does not teach or suggest the claimed image management program and does not disclose any type of program that may be executed on a portable electronic device to capture, control and manage an image.

With respect to the step of managing the display of the image, the Examiner argues that column 24, lines 24-26 of Eck discloses the step of managing the display of a captured image on the display screen (16) of the game machine (10). On the contrary, this section of Eck merely states that the digital camera cartridge (300) can be used to capture images of persons and objects

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and that these images are displayed on the display screen (16). There is absolutely no teaching or suggestion whatsoever pertaining to managing the display of a captured image, let alone managing the display using an image management program. Thus, Eck also fails to teach or suggest the claimed step of managing the display of a captured image on the display screen of a portable electronic device, as recited in claim 1.

As discussed in previous responses to office actions, Lourette also does not teach or suggest an image management program executed on a portable electronic device or the step of managing the display of an image on the display screen of a portable electronic device, as recited in claim 1.

As the foregoing illustrates, the combination of Eck and Lourette fails to teach or suggest each and every limitation of claim 1 and therefore cannot render claim 1 obvious. For this reason, Applicants respectfully submit that claim 1 and claims 2-7, dependent thereon, are in condition for allowance and request that the §103(a) rejection of these claims be withdrawn.

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**Conclusion**

Based on the above remarks, Applicants believe that they have overcome all of the rejections set forth in the Office Action mailed on March 15, 2005 and that the pending claims are in condition for allowance. If the Examiner has any questions, please contact the Applicants' undersigned representative at the number provided below.

Respectfully submitted,

  
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John C. Catey

Registration No. 51,530

MOSER, PATTERSON &amp; SHERIDAN, L.L.P.

3040 Post Oak Blvd., Suite 1500

Houston, Texas 77056-6582

Telephone: (713) 623-4844

Facsimile: (713) 623-4846